

# SENATE BILL 327

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CF HB 12

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By: **Senator McFadden**

Introduced and read first time: January 27, 2012

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City – 45th Legislative District – Liquor Stores – Premises Near**  
3 **Places of Worship or Schools**

4 FOR the purpose of increasing the distance that liquor stores in the 45th Legislative  
5 District in Baltimore City are required to be from places of worship or schools;  
6 providing for the application of this Act; and generally relating to the distance  
7 that liquor stores are required to be from places of worship or schools in the  
8 45th Legislative District in Baltimore City.

9 BY repealing and reenacting, with amendments,  
10 Article 2B – Alcoholic Beverages  
11 Section 9–204.3  
12 Annotated Code of Maryland  
13 (2011 Replacement Volume)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article 2B – Alcoholic Beverages**

17 9–204.3.

18 (a) **(1)** [In] **EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**  
19 **SUBSECTION**, IN Baltimore City, no new license, or removal of an existing license,  
20 shall be granted to sell alcoholic beverages in any building located within 300 feet of  
21 the nearest point of the buildings of a church or school, but the license of any person  
22 now holding a license for any building located within such distance of the building  
23 grounds of a church or school may be renewed or extended for the same building.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(2) IN THE 45TH LEGISLATIVE DISTRICT IN BALTIMORE CITY, A**  
2 **NEW CLASS A LICENSE OF ANY TYPE MAY NOT BE ISSUED FOR THE SALE OF**  
3 **ALCOHOLIC BEVERAGES IN A BUILDING LOCATED WITHIN 500 FEET OF THE**  
4 **NEAREST POINT OF THE BUILDING OF A PLACE OF WORSHIP OR SCHOOL.**

5           (b) The restrictions regarding distance **IN SUBSECTION (A)(1) OF THIS**  
6 **SECTION** do not apply to the following licenses, which may be issued within the 300  
7 feet limitation:

8           (1) Except in the 46th Legislative District, Class B beer and wine;

9           (2) Except in the 46th Legislative District, Class B beer, wine and  
10 liquor;

11           (3) Class C beer and wine; and

12           (4) Class C beer, wine and liquor.

13           (c) Except in the 46th Legislative District, the governing body of any church  
14 in writing may waive the restrictions of this section regarding licenses not specified in  
15 subsection (b) with respect to cafes or restaurants located within 250 feet of a theater  
16 having a capacity of not less than 300 seats, which theater is operated by a nonprofit  
17 theater association.

18           **SECTION 2. AND BE IT FURTHER ENACTED,** That this Act shall be  
19 construed to apply only prospectively and may not be applied or interpreted to have  
20 any effect on or application to any Class A alcoholic beverages license issued in the  
21 45th Legislative District in Baltimore City before the effective date of this Act.

22           **SECTION 3. AND BE IT FURTHER ENACTED,** That this Act shall take effect  
23 July 1, 2012.